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			2645	10

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/972,572

Applicant(s)

HOLMES, DAVID WILLIAM JAMES

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. **Claim 12** is objected to because of the following informalities: line 5 "during normal reception" is indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-5, 7-8, 10-11, 13-14, 16-17 and 21** are rejected under 35 U.S.C. 102(b) as being anticipated by Miner et al. (US 5,652,789).

Regarding **claims 1 and 21**, Miner discloses a network based knowledgeable assistant (column 1, lines 5-8), (which reads on claimed "a method for automatically connecting to electronic addresses received in spoken communications"), comprising:

receiving at least one telephone call (column 39, line 58 "a call") including voiced address information (column 39, line 60 "the phone number"), wherein the voiced address information corresponds to at least one electronic address (column 39, lines

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55-67) [The assistant offers the caller to leave a message including a phone number which is the electronic address];

identifying the voiced address information (column 39, lines 55-67) [The electronic assistant record the message after the number is entered];

automatically extracting the identified voiced address information based on the identified voiced address information (column 40, lines 35-43) [The electronic assistant matches the subscriber request with the contact list and identifies the contact number];

receiving user input (column 42, lines 43-60) [The user instructs the electronic assistant to dial a number]; and

after receiving the user input, automatically coupling to at least one electronic address (column 42, line 48 "a contact message") associated with the voiced address information based in part on the automatically extracted and identified voiced address information (column 42, lines 43-60) [The electronic assistant uses the contact message to dial the number and establishes the connection between the subscriber and the outgoing call line].

Regarding **claim 2**, Miner discloses storing the at least one telephone call as at least one voice mail message (column 39, lines 48-54);

retrieving and playing the at least one voice mail message (column 11, lines 22-36);

scanning the at least one voice mail message for the voiced address information (column 33, lines 29-48);

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identifying at least one portion of the at least one voice mail message that includes the voiced address information (column 33, lines 29-48); and

re-playing the identified at least one portion to verify in the at least one portion accuracy of address information for the electronic address (column 34, lines 1-7).

Regarding **claim 3**, Miner discloses generating an electronic message including the extracted voiced address information (column 33, lines 29-48);

forwarding the electronic message among at least one location pre-specified by a user (column 33, lines 29-48); and

extracting the voiced address information from the electronic message following receipt at the at least one location (column 39, lines 48-54).

Regarding **claim 4**, Miner discloses wherein the at least one location includes a telephone, wherein at least one operation can be performed on the address information including editing and storing (column 33, lines 29-48).

Regarding **claim 5**, Miner discloses wherein the at least one location includes at least one call switch, wherein a first electronic connection is terminated in order to establish the coupling (column 42, lines 43-60).

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Regarding **claims 7 and 14**, Miner discloses configuring the retrieving and scanning using a configuration selected from among at least one automatic and at least one manual configuration (column 39, lines 48-54);

wherein the at least one automatic configuration automatically retrieves and scans the at least one voice mail message (column 39, lines 48-54);

wherein the at least one manual configuration retrieves and scans the at least one voice mail message upon receipt of at least one corresponding user command (column 39, lines 48-54).

Regarding **claim 8**, Miner discloses receiving at least one command from a user, wherein the at least one command is of a type selected from among spoken commands and manual input commands (column 42, lines 43-60).

Regarding **claim 10**, Miner discloses wherein coupling comprises connecting a called party with two or more other parties during a telephone call using the at least one electronic address, wherein a conference call is established (column 24, lines 22-29).

Regarding **claim 11**, Miner discloses wherein the at least one electronic address is associated with at least one device selected from among personal computers, processor-based devices, wired telephones, wireless telephones, wired radiotelephones, wireless radiotelephones, internet telephones, cellular telephones,

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paggers, personal digital assistants, personal communication devices, electronic mail devices, telematic systems, and informatics systems (column 12, lines 27-40).

Regarding **claim 13**, Miner discloses a network based knowledgeable assistant (column 1, lines 5-8), (which reads on claimed "a communications system, comprising:

- at least one network (104 on FIG. 5) coupled among components including:

- at least one portable communications device (116 on FIG. 5);

- at least one routing system (90 on FIG. 5);

- at least one voice message system (206 on FIG. 11); and

- at least one recognition and connection system (100 on FIG. 5);

wherein the components support voice recognition analysis on live calls and recorded information (column 40, lines 35-43) [The subscriber's response is recognized by the voice recognition capabilities of the ASR card];

- wherein the voice recognition analysis includes:

- analyzing at least one voice stream, identifying spoken address information of the at least one voice stream (column 39, lines 48-54), wherein the spoken address information includes at least one electronic address selected from electronic address types including telephone numbers (column 39, lines 48-54), automatically recognizing and extracting the identified address information (column 39, lines 48-54), transferring the extracted address information to at least one pre-specified location (column 39, lines 48-54), automatically connecting users to the at least one electronic address using the extracted address information in response to a command (column 42, lines 43-60) [The

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electronic assistant uses the contact message to dial the number and establishes the connection between the subscriber and the outgoing call line].

Regarding **claim 16**, Miner discloses a network based knowledgeable assistant (column 1, lines 5-8), (which reads on claimed “a portable telephone system that automatically couples to electronic addresses received in audio communications”), comprising:

- at least one voice recognition subsystem (100 on FIG. 5) configurable to:

- analyze received substantially continuous verbal data (column 39, lines 48-54);

- identify spoken address information among the substantial continuous verbal data, wherein the spoken address information includes at least one electronic address selected from electronic address types including telephone numbers (column 39, lines 55-67) [The electronic assistant record the message after the number is entered];

- automatically recognize and extract the identified spoken address information (column 40, lines 35-43) [The electronic assistant matches the subscriber request with the contact list and identifies the contact number];

- format the extracted address information (column 40, lines 35-43) [The electronic assistant matches the subscriber request with the contact list and identifies the contact number];

- transfer the formatted address information to at least one pre-specified location (column 42, lines 43-60) [The electronic assistant invokes the call task and transfers the contact number to be dialed];

couple to the at least one electronic address using the transferred address information (column 42, lines 43-60) [The electronic assistant uses the contact message to dial the number and establishes the connection between the subscriber and the outgoing call line].

Regarding **claim 17**, Miner discloses wherein the analysis is either real-time analysis of telephone calls or post analysis of voice mail messages (column 39, lines 48-54).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Miner in view of Rochkind (US 5,848,130).

Regarding **claim 6**, Miner as applied to **claim 3** differs from **claim 6**, in that it fails to disclose posting to at least one web page.

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However, Rochkind teaches wherein the at least one location includes at least one server, wherein at least one operation can be performed on the address information including editing, loading into at least one directory, and posting to at least one web page (column 2, lines 42-59).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use posting to at least one web page of Rochkind in the invention of Miner.

The modification of the invention would offer the capability of posting to at least one web page such as the system would convert speech data into text message.

6. **Claims 9, 12, 19 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Miner in view of Agraharam et al. (US 2004/0062365).

Regarding **claim 9**, Miner as applied to **claim 1** differ from **claim 9** in that it fails to disclose the electronic address types further include electronic mail addresses and Uniform Resource Identifiers.

However, Agraharam teaches wherein the electronic address types further include electronic mail addresses and Uniform Resource Identifiers (§ 0014) [The network prompts the calling party to input the intended recipient's e-mail address to forward the message].

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It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use either email addresses or a Uniform Resource Identifiers of Agraharam in the invention of Miner.

The modification of the invention would offer the capability of either email addresses or a Uniform Resource Identifiers such as the system would convert speech data into text message.

Regarding **claim 12**, Miner discloses a network based knowledgeable assistant (column 1, lines 5-8), (which reads on claimed "a method for automatically connecting to electronic addresses in voice streams"), comprising:

receiving electronic communications including the voice streams (column 39, lines 55-67) [The assistant offers the caller to leave a message including a phone number which is the electronic address];

automatically recognizing and extracting the electronic addresses from the received voice streams using automatic voice recognition during normal reception of the voice stream and not under a special mode (column 39, lines 55-67), wherein the electronic addresses include telephone numbers (column 40, lines 35-43), and wherein the voice streams are continuous, as opposed to discrete streams of voice information provided under either live telephone or recorded voice messages (column 42, lines 43-60), and automatically connecting two or more electronic communication devices using the electronic addresses, wherein the automatically recognizing is performed at neither of the two electronic communication devices (column 42, lines 43-60) [The electronic

assistant uses the contact message to dial the number and establishes the connection between the subscriber and the outgoing call line].

Miner discloses leaving a message with an enclosed contact but fails to disclose the contact to be either email addresses or a Uniform Resource Identifiers.

However, Agraharam teaches either email addresses or a Uniform Resource Identifiers (§ 0014) [The network prompts the calling party to input the intended recipient's e-mail address to forward the message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use either email addresses or a Uniform Resource Identifiers of Agraharam in the invention of Miner.

The modification of the invention would offer the capability of either email addresses or a Uniform Resource Identifiers such as the system would convert speech data into text message.

Regarding **claim 19**, Miner discloses a network based knowledgeable assistant (column 1, lines 5-8), (which reads on claimed "a portable electronic device that automatically couples users among electronic addresses received in spoken communications"), comprising:

at least one recognition and connection system (110 on FIG. 5) that performs voice recognition analysis on continuous streams of live calls and recorded information, wherein the voice recognition analysis includes analyzing voice streams (column 39, lines 48-54), identifying address information of the voice streams, wherein the address

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information includes electronic addresses selected from electronic address types including telephone numbers (column 39, lines 55-67), automatically recognizing and extracting the identified address information (column 40, lines 35-43), transferring the extracted address information to at least one pre-specified location (column 42, lines 43-60), and coupling to electronic addresses using the extracted address information in response to user commands (column 42, lines 43-60) [The electronic assistant uses the contact message to dial the number and establishes the connection between the subscriber and the outgoing call line].

Miner discloses leaving a message with an enclosed contact but fails to disclose the contact to be either email addresses or a Uniform Resource Identifiers.

However, Agraharam teaches either email addresses or a Uniform Resource Identifiers (§ 0014) [The network prompts the calling party to input the intended recipient's e-mail address to forward the message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use either email addresses or a Uniform Resource Identifiers of Agraharam in the invention of Miner.

The modification of the invention would offer the capability of either email addresses or a Uniform Resource Identifiers such as the system would convert speech data into text message.

Regarding **claim 22**, Miner discloses a network based knowledgeable assistant (column 1, lines 5-8), (which reads on claimed "a portable communication device that

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automatically connects users to electronic addresses received in spoken communications”), comprising:

means for receiving at least one voice mail message including voiced address information, wherein the voiced address information corresponds to at least one electronic address (column 39, lines 55-67) [The assistant offers the caller to leave a message including a phone number which is the electronic address];

means for connecting the portable communication device to external network components, wherein the external network components include means for identifying the voiced address information (column 39, lines 55-67), and means for automatically extracting the identified voiced address information using voice recognition and providing the extracted voiced address information to the portable communication device (column 40, lines 35-43) [The electronic assistant matches the subscriber request with the contact list and identifies the contact number];

means for receiving user input (column 42, lines 43-60) [The user instructs the electronic assistant to dial a number];

means for coupling to at least one electronic address associated with the voiced address information using the automatically extracted and identified voiced address information in response to the user input (column 42, lines 43-60) [The electronic assistant uses the contact message to dial the number and establishes the connection between the subscriber and the outgoing call line].

Miner discloses leaving a message with an enclosed contact but fails to disclose the contact to be either email addresses or a Uniform Resource Identifiers.

However, Agraharam teaches either email addresses or a Uniform Resource Identifiers (§ 0014) [The network prompts the calling party to input the intended recipient's e-mail address to forward the message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use either email addresses or a Uniform Resource Identifiers of Agraharam in the invention of Miner.

The modification of the invention would offer the capability of either email addresses or a Uniform Resource Identifiers such as the system would convert speech data into text message.

7. **Claims 15 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Miner in view of Hünlich et al. (US 6,553,024).

Regarding **claims 15 and 18**, Miner as applied to **claims 13 and 16** differs from **claims 15 and 18** in that it fails to disclose using at least one short message transfer type.

However, Hünlich teaches wherein transferring includes using at least one short message transfer type selected from among short message services and alphanumeric paging services (column 7, lines 25-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use using at least one short message transfer type of Hünlich in the invention of Miner.

The modification of the invention would offer the capability of using at least one short message transfer type such as the system would convert speech data into text message.

8. **Claim 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over Miner in view of Agraharam and in further view of Hünlich.

Regarding **claim 20**, Miner and Agraharam as applied to **claim 19** differ from **claim 20** in that it fails to disclose using at least one short message transfer type.

However, Hünlich teaches wherein transferring includes using at least one short message transfer type selected from among short message services and alphanumeric paging services (column 7, lines 25-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use using at least one short message transfer type of Hünlich in the invention of Miner and Agraharam.

The modification of the invention would offer the capability of using at least one short message transfer type such as the system would convert speech data into text message.

Response to Arguments

9. Applicant's arguments with respect to **claims 1-22** have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

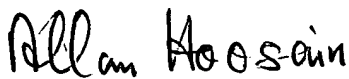
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


g.g.
April 4, 2004


ALLAN HOOSAIN
PRIMARY EXAMINER
